

1 BILL NO. Z-82-02 -04

2 ZONING MAP ORDINANCE NO. Z-*Waldman*

3 AN ORDINANCE amending the City of Fort Wayne  
4 Zoning Map No. Q-22.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
6 WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is hereby  
8 designated a B-1-B District under the terms of Chapter 33, The  
9 Code of the City of Fort Wayne, Indiana of 1974;

10 Part of the Southeast quarter of Section 30,  
11 Township 31 North, Range 33 East, in Allen  
12 County, Indiana, in particular described as follows,  
13 to wit: Commence at the point of intersection  
14 of the East line of Glenhurst Avenue and the  
15 South line, produced Eastward, of Merivale  
16 Street as dedicated in the Plat of Kirwood Park  
17 Addition, Section "E" as recorded in Plat Book 18  
18 page 94, in the Office of the Recorder of said  
19 County, said point also being the Southwest corner  
20 of William L. Jones Drive, as dedicated by instrument  
21 recorded in Deed Record 556, pages 293-5; thence  
22 running East along the South line of said William  
23 L. Jones Drive; a distance of 128.3 feet; thence  
24 continuing Southeasterly along said Drive by a  
25 deflection right of 24 degrees 22 minutes, a  
26 distance of 171.5 feet; thence South by a deflection  
27 right of 65 degrees 45 minutes, a distance of 284.4  
28 feet; thence West, a distance of 150.0 feet to  
29 the Northeast corner of Lot 174 Kirkwood Park  
30 Addition, Section "F", as recorded in Plat Book  
31 18, page 195, in the Office of the Recorder of  
32 said County; thence North and parallel to the East  
line of Glenhurst Avenue as in said Plat recorded,  
a distance of 68.0 feet; thence West and parallel  
to the North line of said Lot 174, a distance of  
150.0 feet to the East line of said Glenhurst Avenue;  
thence North along the line aforesaid, a distance of  
125.3 feet; thence continuing along the East line  
of Glenhurst Avenue along a circular curve to the  
right, having a radius of 15 feet, a distance of  
23.56 feet, more or less; thence continuing North  
along the East line of said Glenhurst Avenue, a  
distance of 145.0 feet to the place of beginning;  
containing 2.025 acres of land, more or less. ALSO  
A tract of land, triangular in form, lying North of  
William L. Jones Drive as dedicated by instrument  
recorded in Deed Record 556, pages 293-295, and  
lying Southwesterly of U.S. Highway No. 30, formerly  
known as State Road No. 324, situated in the  
Southeast Quarter of Section 30, Township 31 North,  
Range 13 East in Allen County, Indiana particularly  
described as follows, to-wit: Commence at the North-  
west corner of said William L. Jones Drive; thence  
east along the North line of said Drive, a distance

1 of 111.6 feet to its intersection by the South-  
2 westerly right-of-way line of U.S. Highway No.  
3 30; thence Northwesterly along the line aforesaid  
4 by a deflection left of 155 degrees, 38 minutes,  
5 a distance of 97.5 feet to the East line of Glen-  
6 hurst Avenue, as widened by the State Highway  
Commission; thence Southwesterly by a deflection  
left of 85 degrees 02 minutes along the East line  
of said Glenhurst Avenue as widened, a distance of  
46.1 feet, to the place of beginning; containing  
2243 square feet or 0.051 acres, more or less,

7 and the symbols of the City of Fort Wayne Zoning Map No. Q-22,  
8 referred to therein, established by Section 33-11 of said Chapter  
9 are hereby changed accordingly.

10 SECTION 2. That this Ordinance shall be effective upon  
11 passage and approval by the Mayor and legal publication thereof.  
12  
13

14   
15 COUNCILMAN

16 APPROVED AS TO FORM AND  
17 LEGALITY FEBRUARY 5, 1982

18   
19 BRUCE O. BOXBERGER, CITY ATTORNEY  
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Read the first time in full and on motion by Eisbart, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.M., E.S.T.

DATE: 2-9-82

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

*With Drawn*

DATE: \_\_\_\_\_

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST:

(SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_.M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_.M., E.S.T.

*W. Moses*  
WIN MOSES, JR. - MAYOR

BILL NO. Z-82-02-04

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN  
ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-22

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE WITHDRAWN PASS.

BEN A. EISBART - CHAIRMAN

JANET G. BRADBURY - VICE CHAIRMAN

PAUL M. BURNS

JOHN NUCKOLS

ROY J. SCHOMBURG

4-13-82  
CONCURRED IN  
DATE \_\_\_\_\_ CHAIRMAN, CITY CLERK

# RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 7211

FT. WAYNE, IND., 1-36 1952

RECEIVED FROM

Mutual Savings Corp. \$ 100.00

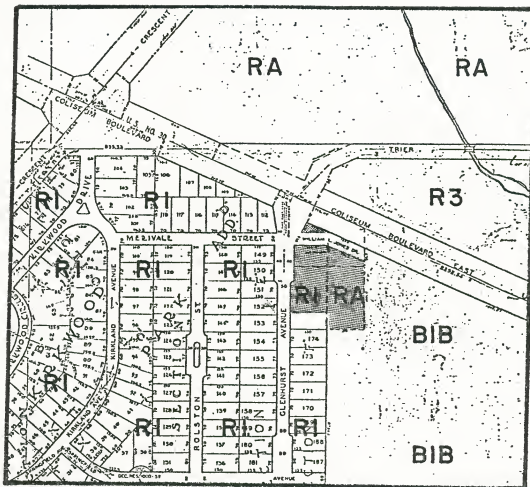
THE SUM OF

one hundred and 00/100 <sup>100</sup> DOLLARS

ON ACCOUNT OF

St. Vincent's Hospital & Nursing - R-1 #R4 to D-1-B  
pt. p.

AUTHORIZED SIGNATURE



 ZONING RECLASSIFICATION FROM  
AN RI, RA TO A BIB DISTRICT.

MAP NO. Q-22

*Z-82-02-04*

BY G.R. LAX 1-27-82



THIS IS TO BE FILED IN DUPLICATE

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

I/We MUTUAL SECURITY LIFE INSURANCE COMPANY

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/~~an~~ R1 and RA District to a/~~an~~ B1B District the property described as follows:

PART of the Southeast quarter of Section 30, Township 31 North, Range 33 East, in Allen County, Indiana, in particular described as follows, to-wit:

Commence at the point of intersection of the East line of Glenhurst Avenue and the South line, produced Eastward, of Merivale Street as dedicated in the Plat of KIRKWOOD PARK ADDITION, Section "E", as recorded in Plat Book 18, page 94, in the Office of the Recorder of said County, said point also being the Southwest corner of William L. Jones Drive, as dedicated by instrument recorded in Deed Record 556, pages 293-5; thence running East along the South line of said William L. Jones Drive; a distance of 128.3 feet; thence continuing Southeasterly along said Drive by a deflection right of 24 degrees 22 minutes, a distance of 171.5 feet; thence South by a deflection right of 65 degrees 45 minutes, a distance of 284.4

(Legal Description) If additional space is needed, use reverse side. (Continued on reverse side)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty one percentum (51%) or more of the property described in this petition.

MUTUAL SECURITY LIFE INSURANCE

3000 Coliseum Boulevard East

COMPANY

Fort Wayne, Indiana 46805

By: 

Merle N. Rocke

Title: President

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by Mary Jo Morrison, 3000 Coliseum Boulevard East, Fort Wayne IN 46805

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Mary Jo Morrison, Attorney

(Name)

3000 Coliseum Boulevard East

Fort Wayne, IN 46805

(Address & Zip Code)

(219) 484-0511

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.




Legal Description of property to be rezoned. (Continued)  
feet; thence West, a distance of 150.0 feet to the Northeast corner of Lot 174 KIRKWOOD  
PARK ADDITION, Section "F", as recorded in Plat Book 18, page 195, in the Office of the  
Recorder of said County; thence North and parallel to the East line of Glenhurst Avenue as  
in said Plat recorded, a distance of 68.0 feet; thence West and parallel to the North line  
of said Lot 174, a distance of 150.0 feet to the East line of said Glenhurst Avenue; thence  
North along the line aforesaid, a distance of 125.3 feet; thence continuing along the East  
line of Glenhurst Avenue along a circular curve to the right, having a radius of 15 feet,  
a distance of 23.56 feet, more or less; thence continuing North along the East line of  
said Glenhurst Avenue, a distance of 145.0 feet to the place of beginning; containing  
2.025 acres of land, more or less.

ALSO

A tract of land, triangular in form, lying North of William L. Jones Drive as dedicated by  
instrument recorded in Deed Record 556, pages 293-295, and lying Southwesterly of U.S.  
Highway No. 30, formerly known as State Road No. 324, situated in the Southeast Quarter of  
Section 30, Township 31 North, Range 13 East in Allen County, Indiana in particular  
described as follows, to-wit:

(Continued Below)

Owners of Property

Mutual Security Life Insurance	3000 Coliseum Boulevard East	By: 
Company	Fort Wayne, Indiana 46805	Merle N. Roche
		Title: President
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

Legal Description of Property to be Rezoned (Continued):

Commence at the Northwest corner of said William L. Jones Drive; thence east along the  
North line of said Drive, a distance of 111.6 feet to its intersection by the Southwesterly  
right-of-way line of U.S. Highway No. 30; thence Northwesterly along the line aforesaid  
by a deflection left of 155 degrees, 38 minutes, a distance of 97.5 feet to the East line  
of Glenhurst Avenue, as widened by the State Highway Commission; thence Southwesterly by  
a deflection left of 85 degrees 02 minutes along the East line of said Glenhurst Avenue  
as widened, a distance of 46.1 feet, to the place of beginning; containing 2243 square  
feet or 0.051 acres, more or less.

Recorded February 4, 1976.

Document No. 76-2551.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 9, 1982, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-82-02-04; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 22, 1982; and,

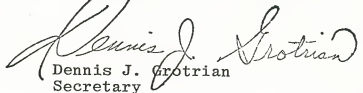
WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission by the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this  
23rd day of March 1982.

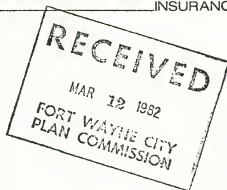
  
Dennis J. Grotirian  
Secretary

# Mutual Security Life

INSURANCE COMPANY

March 12, 1982

Mr. Gary Baeten  
Senior Planner--City Plan Commission  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802



Dear Mr. Baeten:

I am writing to withdraw the rezoning petition filed by Mutual Security Life Insurance Company on January 26, 1982. Our Company submitted this petition to rezone two tracts of land from R-1 and R-A zones to B-1-B, in order to erect a sign by the entrance to our property. We understand that a petition for a use variance will accomplish the same result and, therefore, we will file such a petition in the near future.

Thank you for withdrawing this petition. Your assistance in this matter is greatly appreciated.

Sincerely,

*Mary Jo Morrison*

Mary Jo Morrison  
Attorney - Legal Department

MJM/sr



# The City of Fort Wayne

City Plan Commission

23 March 1982

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-82-02-04

This ordinance was requested **WITHDRAWN** by written request of the petitioner, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Gary F. Baeten*  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

TITLE OF ORDINANCE Zoning Ordinance Amendment3-82-02-04DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE A tract of land containing 2.025 acres<sup>±</sup> lying southwest  
of Coliseum Blvd., East; extending east from the east right-of-way line of Glenhurst  
Avenue 300 feet <sup>±</sup> and north of Kirkwood Park Addition Section "F".

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential and  
RA - Suburban Residential. Property will become B-1-B - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R-1 & RA.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_